

9) Supplemental Notice of Allowability dated November 20, 1998 with initialed Form 1449 dated November 20, 1998;

10) Supplemental Notice of Allowability dated February 9, 1999.

Remarks

The application identified as serial number 08/870,296, filed June 6, 1997, was taken over by our firm from Lowe Hauptman Gopstein after grant. The items listed above are the only documents we have in that file relating to amendment of the claims and other communications to or from the PTO. The first Office action (paper 2) was a Notice of Allowability (PTOL-37) dated May 7, 1998 allowing claims 1-48. Therefore it appears that there was no Office action rejecting any claims.

So that the Examiner will have a complete record to consider the instant application, copies of all correspondence to and from the PTO after May 7, 1998 are attached. The only amendment was under Rule 312 making small changes to claims 1, 2 and 21. This amendment was entered by the Examiner.

Reconsideration and allowance of the foregoing claims are respectfully requested.

Respectfully submitted,

McCracken & Frank
Attorneys at Law
200 W. Adams
Suite 2150
Chicago, Illinois 60606
(312) 263-4700
Customer No: 29471

By: 

J. William Frank, III
Reg. No: 25,626

July 1, 2003

JUL 07 2003

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO. (SERIES)	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/870.296	06/06/97	SCHULZ	W P73197002

MICHAEL G GILMAN
99 CANAL BRIDGE PLAZA SUITE 300
ALEXANDRIA VA 22314

PM52/0507

EXAMINER

HELLNER, M

ART UNIT

PAPER NUMBER

3642

2

DATE MAILED: 05/07/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- ☐ This communication is responsive to _____
- ☒ The allowed claim(s) is/are 1-48
- ☐ The drawings filed on _____ are acceptable.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

- ☒ Applicant MUST submit NEW FORMAL DRAWINGS

- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☒ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____
- ☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☐ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☒ Examiner's Statement of Reasons for Allowance

MARK HELLNER
EXAMINER
ART UNIT 222

Mark Hellner

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MAY 11 1998

Lowe, Hauptman, Gopstein & Berner

RECEIVED

OCT 01 2003

GROUP 3600



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/870,296	06/06/97	SCHULZ	W F73197002

MICHAEL G GILMAN
99 CANAL BRIDGE PLAZA SUITE 300
ALEXANDRIA VA 22314

PM51/0209

EXAMINER

HELLNER.M

ART UNIT

PAPER NUMBER

3642

DATE MAILED

02/09/99

RECEIVED

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

Supplemental NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED (in this application, prosecution is closed herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the paper filed 9-4-98

☐ The allowed claim(s) is/are _____

☐ The drawings filed on _____ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

☒ OTHER → the reference 4,527,309 has been received. Note it was ^{already} considered on 11-20-98.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/870,296	06/06/97	SCHULZ	W P73197002

MICHAEL B GILMAN
99 CANAL BRIDGE PLAZA SUITE 300
ALEXANDRIA VA 22314

PM52/1120

RECEIVED

NOV 5 1998

Lowe, Hauptman, Gopstein & Berner

3642
DATE MAILED:

11/20/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

Supplemental NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

- ☒ This communication is responsive to paper filed 8-4-98
- ☐ The allowed claim(s) is/are _____
- ☐ The drawings filed on _____ are acceptable.
- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ Applicant MUST submit NEW FORMAL DRAWINGS
- ☐ because the originally filed drawings were declared by applicant to be informal.
- ☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____
- ☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.
- ☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

- ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- ☐ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4
- ☐ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Interview Summary, PTO-413
- ☐ Examiner's Amendment/Comment
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Examiner's Statement of Reasons for Allowance

EXAMINER
ART UNIT 222

Mark J. Keller



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

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OCT 01 2003

GROUP 3600

PM52/0512

MICHAEL G GILMAN
99 CANAL BRIDGE PLAZA SUITE 300
ALEXANDRIA VA 22314

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/870,296	06/06/97	048	HELLNER, M 3642	05/12/98
First Named Applicant: SCHULZ, WALDEAN A.				

TITLE OF INVENTION: OPTICAL FIBER PROBE FOR POSITION MEASUREMENT

ATTYS DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 P73197002	356-139.030	E04	UTILITY	YES	\$660.00	08/12/98

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

YOUR COPY

Art Unit: 3642

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Claims 1-48 are directed towards a novel improvement of the apparatus disclosed by Schulz(5,622,170). To best understand this improvement, attention is drawn to figure 2 of the present application which shows a probe comprising remote emitter means(20), electromagnetic energy conducting means(24) ; and diffusing means(26). This structure allows the probe(14) to be electrically and magnetically neutral. The improvement described above is not shown or suggested by the prior art within the meets and bounds set forth by claims 1-48

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Hellner whose telephone number is (703) 306-4155.

Serial Number: 08/870,296

Page 3

Art Unit: 3642

Mark Hellner

May 6, 1998

**MARK HELLNER
EXAMINER
ART UNIT 222**

Complete and mail this form, together with appropriate fees, to:

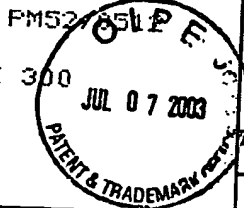
Box ISSUE FEE
Assistant Commissioner for Patents
Washington, D.C. 20231

MOB-ISA IT
F 8/12/98
du Dracy 7/12/98

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE. Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Issue Fee Receipt, the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

MICHAEL G GILMAN
99 CANAL BRIDGE PLAZA SUITE 300
ALEXANDRIA VA 22314



Note: The certificate of mailing below can only be used for domestic mailings of the Issue Fee Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

Certificate of Mailing

I hereby certify that this Issue Fee Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)

(Signature)

(Date)

RECEIVED

MAY 18 1998

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/870,296	06/06/97	048	HELLNER, M	05/12/98
First Named Applicant	WALDEAN A. Lowe, Hauptman, Gopstein & Berner			

TITLE OF INVENTION OPTICAL FIBER PROBE FOR POSITION MEASUREMENT

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 7319-1002	356-139.030	E04	UTILITY	YES	\$660.00	08/12/98

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. LOWE HAUPTMAN

2. GOPSTEIN GILMAN

3. & BERNER

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)
PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE IMAGE GUIDED TECHNOLOGIES, INC.

(B) RESIDENCE: (CITY & STATE OR COUNTRY)

Boulder, Colorado

Please check the appropriate assignee category indicated below (will not be printed on the patent)

☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fees are enclosed (make check payable to Commissioner of Patents and Trademarks):

☒ Issue Fee

☐ Advance Order - # of Copies

Check No. 1374

4b. The following fees or deficiency in these fees should be charged to:

DEPOSIT ACCOUNT NUMBER
(ENCLOSE AN EXTRA COPY OF THIS FORM)

☐ Issue Fee

☐ Advance Order - # of Copies

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee to the application identified above.

Authorized Signature: Michael G Gilman (Date) 8/7/98
NOTE: The Issue Fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington D.C. 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE

RECEIVED

OCT 01 2003

GROUP 3600

Docket No.: 7319-7002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Waldean A. SCHULZ et al.

Serial No. 08/870,296

Filed: June 6, 1997



BATCH NO.

Group Art Unit: 3642

Allowed:

Examiner: M. Hellner

For: OPTICAL FIBER PROBE FOR POSITION MEASUREMENT

INFORMATION DISCLOSURE STATEMENT DOCUMENTATION

Honorable Assistant Commissioner of Patents
Washington, D. C. 20231

Sir:

With reference to the Information Disclosure Statement filed under Rule 37 CFR 1.97(i), on August 14, 1998, wherein applicants submitted reference before the grant of a patent to be placed in the file but not considered by the Patent Office.

Accordingly, a copy of the reference listed on the Form PTO-1449 is submitted herewith for placement in the file. No certification or fees are deemed necessary.

Respectfully submitted,

LOWE HAUPTMAN GOPSTEIN GILMAN & BERNER, LLP

Michael G. Gilman
Registration No. 19,114

2034 Eisenhower Avenue, Suite 200
Alexandria, Virginia 22314
(703) 684-1111 MGG:vgg
Date: September 4, 1998
Fax: (703) 518-5499

RECEIVED

OCT 01 2003

GROUP 3600

Docket No.: 7319-7002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Waldean A. SCHULZ et al.

Serial No. 08/870,296

Filed: June 6, 1997

For: OPTICAL FIBER PROBE FOR POSITION MEASUREMENT

: BATCH NO.

: Group Art Unit: 3642

: Allowed:

: Examiner: M. Hellner

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

This Information Disclosure Statement is being filed under Rule 37 CFR 1.97(i), wherein applicants are submitting references before the grant of a patent to be placed in the file but not considered by the Patent Office.

Accordingly, copies of the references as listed on the attached Form PTO-1449 will be submitted within one month for placement in the file. No certification or fees are deemed necessary.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 07-1337.

Respectfully submitted,

LOWE HAUPTMAN GOPSTEIN GILMAN & BERNER, LLP

Michael G. Gilman
Registration No. 19,114

2034 Eisenhower Avenue, Suite 200
Alexandria, Virginia 22314
(703) 684-1111 MGG:vgg
Date: August 14, 1998
Fax: (703) 518-5499

RECEIVED

GCT 01 2003

GROUP 3600

(PTO-1449)



SERIAL NO.
08/870,296

APPLICANT
Waldean A. SCHULZ et al.

FILING DATE
June 6, 1997

**GROUP
3642**

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

RECEIVED

OCT 01 2003

GROUP 3600

08/870,296

2202

2

NOTICE OF REFERENCES CITED

APPLICANT(S)

Schulz et al

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A	5622170	4-97	Schulz	128	653.1	
B	4836788	6-89	Kato	437	017	
C	4209254	6-80	Reynold et al	356	152	
D	4896673	1-90	Rose et al	128	66003	
E	5198877	3-93	Schulz	356	375	
F	4193689	3-80	Reynold et al	356	152	
G	5047776	9-91	Boller	342	52	
H	4099879	7-78	Britz	256	141	
I						
J						
K						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG.	PP. SPEC.
L								
M								
N								
O								
P								
Q								

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	
S	
T	
U	

EXAMINER

DATE

Mark Helwer

5-5-98

* A copy of this reference is not being furnished with this office action.
(See Manual of Patent Examining Procedure, section 707.05 (a).)

Docket No.: 7319-7002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : OFFICIAL DRAFTSMAN
Waldean A. SCHULZ et al. : BATCH NO. E04
Serial No. 08/870,296 :
Filed: June 6, 1997 : Group Art Unit: 3642
: Allowed: 5/12/98
: Examiner: M. Hellner
For: OPTICAL FIBER PROBE FOR POSITION MEASUREMENT

LETTER SUBMITTING FORMAL DRAWINGS

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

In response to the Notice of Allowability dated May 7, 1998,
submitted herewith are five (5) sheets of Formal Drawings in
connection with the above referenced application.

A Petition for Extension of Time is also attached.

Respectfully submitted,

LOWE HAUPTMAN GOPSTEIN GILMAN & BERNER, LLP


Michael G. Gilman
Registration No. 19,114

99 Canal Center Plaza, Suite 420
Alexandria, Virginia 22314
(703) 684-1111 MGG:sah
Date: September 4, 1998
Fax: (703) 518-5499

RECEIVED

OCT 01 2003

GROUP 3600

870296

NOTICE OF DRAFTPERSON'S PATENT DRAWING REVIEW

The drawing filed (insert date) 6/6/97 are:

A. 1 not objected to by the Draftperson under 37 CFR 1.84 or 1.152.

B. 1 objected to by the Draftperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

<p>1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:</p> <p>Black ink. Color.</p> <p>Color drawing are not acceptable until petition is granted.</p> <p>Fig(s) _____</p> <p>Pencil and non black ink is not permitted. Fig(s) _____</p>	<p>7. SECTIONAL VIEWS. 37 CFR 1.84(n)(3)</p> <p>Hatching not indicated for sectional portions of an object.</p> <p>Fig(s) _____</p> <p>Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p>
<p>2. PHOTOGRAPHS. 37 CFR 1.84(b)</p> <p>Photographs are not acceptable until petition is granted.</p> <p>3 full-tone sets are required. Fig(s) _____</p> <p>Photographs not properly mounted (must be on board or photographic double-weight paper). Fig(s) _____</p> <p>Poor quality (half-tone). Fig(s) _____</p>	<p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)</p> <p>Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned, so that the top becomes the right side, except for graphs. Fig(s) _____</p> <p>Views not on the same plane on drawing sheet. Fig(s) _____</p>
<p>3. TYPE OF PAPER. 37 CFR 1.84(c)</p> <p>Paper not flexible, strong, white and durable.</p> <p>Fig(s) _____</p> <p>Erasures, alterations, overwritings, interlineations, folds, copy machine marks not acceptable. (too thin)</p> <p>Mylar, vellum paper is not acceptable (too thin).</p> <p>Fig(s) _____</p>	<p>9. SCALE. 37 CFR 1.84(k)</p> <p>Scale not large enough to show mechanism with crowding when drawing is reduced in size to two-thirds in reproduction.</p> <p>Fig(s) _____</p>
<p>4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:</p> <p>21.0 cm by 29.7 cm (DIN size A4)</p> <p><u>X</u> 21.6 cm by 27.9 cm (8 1/2 x 11 inches)</p> <p>All drawings sheets not the same size.</p> <p>Sheet(s) _____</p>	<p>10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)</p> <p>Lines, numbers & letters not uniformly thick and well defined, clean, durable and black (poor line quality).</p> <p>Fig(s) _____</p>
<p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins:</p> <p>Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm</p> <p>SIZE: A4 Size</p> <p>Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm</p> <p>SIZE: 8 1/2 x 11</p> <p><u>X</u> Margins not acceptable. Fig(s) <u>3a</u></p> <p>Top (T) _____ Left (L) _____</p> <p>Right (R) _____ Bottom (B) _____</p>	<p>11. SHADING. 37 CFR 1.84(m)</p> <p>Solid black areas pale. Fig(s) _____</p> <p>Solid black shading not permitted. Fig(s) _____</p> <p>Shade lines, pale, rough and blurred. Fig(s) _____</p>
<p>6. VIEWS. 37 CFR 1.84(h)</p> <p>REMINDER: Specification may require revision to correspond to drawing changes.</p> <p>Views connected by projection lines or lead lines.</p> <p>Fig(s) _____</p> <p>Partial views. 37 CFR 1.84(h)(2)</p> <p>Brackets needed to show figure as one entity.</p> <p>Fig(s) _____</p> <p>Views not labeled separately or properly.</p> <p>Fig(s) _____</p> <p>Enlarged view not labeled separately or properly.</p> <p>Fig(s) _____</p>	<p>12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.48(p)</p> <p>Numbers and reference characters not plain and legible.</p> <p>Fig(s) _____</p> <p>Figure legends are poor. Fig(s) _____</p> <p>Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(3). Fig(s) _____</p> <p>English alphabet not used. 37 CFR 1.84(p)(3). Fig(s) _____</p> <p>Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____</p>
<p>13. LEAD LINES. 37 CFR 1.84(n)</p> <p>Lead lines cross each other. Fig(s) _____</p> <p>Lead lines missing. Fig(s) _____</p>	<p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.48(t)</p> <p>Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Fig(s) _____</p>
<p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u)</p> <p>Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p>	<p>16. CORRECTIONS. 37 CFR 1.84(w)</p> <p>Corrections not made from PTO-948 dated _____</p>
<p>17. DESIGN DRAWINGS. 37 CFR 1.152</p> <p>Surface shading shown not appropriate. Fig(s) _____</p> <p>Solid black shading not used for color contrast.</p> <p>Fig(s) _____</p>	

COMMENTS

- Stippling obj -

REVIEWER

Taufer

DATE

10/27/97

TELEPHONE NO.

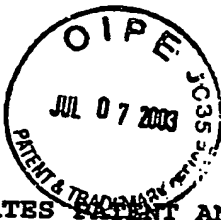
703 365 9400

ATTACHMENT TO PAPER NO.

APPLICANT'S COPY

1

Docket No.: 7319-7002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Batch No. E04
Waldean A. SCHULZ et al. : Allowed: May 12, 1998
Serial No. 08/870,296 : Group Art Unit: 3642
Filed: June 6, 1997 : Examiner: M. Hellner
For: OPTICAL FIBER PROBE FOR POSITION MEASUREMENT

PETITION FOR EXTENSION OF TIME

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

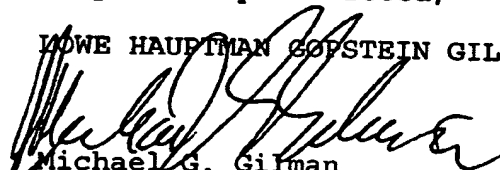
Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for filing Formal Drawings in response to the Notice of Allowability for one month from August 7, 1998 to September 7, 1998.

A check in the amount of \$55.00 to cover the cost of the extension is attached. Any deficiency or overpayment should be charged or credited to Deposit Account No. 07-1337.

Respectfully submitted,

LOWE HAUTMAN GOPSTEIN GILMAN & BERNER, LLP


Michael G. Gilman
Registration No. 19,114

99 Canal Center Plaza, Suite 420
Alexandria, Virginia 22314
(703) 684-1111 MGG:sah
Date: September 4, 1998
Fax: (703) 518-5499

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILED DATE / 97	SCH. 1 7	FIRST NAMED APPLICANT	LI	PATTONLEY DOCKET NO.
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MICHAEL G. GILMAN
99 CANAL BRIDGE PLAZA SUITE 300
ALEXANDRIA VA 22314

PM52/1120

HELINE EXAMINER

PLANT PAPER NUMBER

11/20/98

DATE MAILED:

Response to Rule 312 Communication

- ☒ The petition filed _____ under 37 CFR 1.312(b) is granted. The paper has been forwarded to the examiner for consideration on the merits.

Director,
Patent Examining Group _____

- ☒ The amendment filed 9-28-98 under 37 CFR 1.312 has been considered, and has been:

☒ entered.

☐ entered as directed to matters of form not affecting the scope of the invention (Order 3311).

☐ disapproved. See explanation below.

☐ entered in part. See explanation below.

HELINE
EXAMINER
ART UNIT 222

Mark G. Gilman

Patent Docket 7319-7002

Ask Cheryl
for file

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Waldean A. SCHULZ et al.

Serial No.: 08/870,296

Group Art Unit: 3642

Filed: June 6, 1997

Examiner: M. Hellner

For: OPTICAL FIBER PROBE FOR POSITION MEASUREMENT

AMENDMENT UNDER 37 CFR 1.312

Honorable Assistant Commissioner
For Patents
Washington, D. C. 20231

Sir:

A Notice of Allowability having been issued in the above identified patent application on May 7, 1998, applicants wish to amend the claims hereof in order to make some editorial corrections thereto as follows:

IN THE CLAIMS:

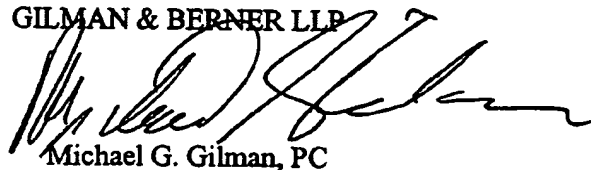
Claim 1, next to the last line, change "that" to - -than- -.

Claims 2 and 21, lines 1 of each, change "emitters" to - -dispersing element- -.

Respectfully submitted,

LOWE HAUPTMAN GOPSTEIN

GILMAN & BERNER LLP



Michael G. Gilman, PC

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Telephone 703 518 5492
Facsimile 703 518 5499

~~May 18, 1998~~

sept. 28, 1998